

PDH 12C  
(7/93)

Report Date: January 5, 2011

**United States District Court**

**for the**

**Eastern District of Washington**

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**JAN 06 2011**

JAMES P. LARSEN, CLERK  
EASTERN DISTRICT OF WASHINGTON

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Rudy Lee Wahchumwah

Case Number: 2:08CR02016-001  
2:03CR02248-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence:

2:08CR02016-001: 12/1/2008

2:03CR02248-001: 8/3/2004

Original Offense: 2:08CR02016-001: Failure to Register as a Sex Offender, 18 U.S.C. § 2250

2:03CR02248-001: Crime on Indian Reservation - Sexual Abuse of a Minor,  
18 U.S.C. § 2243

Original Sentence: 2:08CR02016-001  
Prison - 24 Months;  
TSR - 36 Months  
2:03CR02248-001  
Prison - 33 Months;  
TSR - 36 Months

Type of Supervision: Supervised Release

Asst. U.S. Attorney: Alexander Carl Ekstrom

Date Supervision Commenced: 7/16/2010

Defense Attorney: Kraig Gardner

Date Supervision Expires: 7/15/2013

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**PETITIONING THE COURT**

**To issue a summons.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<p><b><u>Special Condition #16:</u></b> You shall actively participate and successfully complete an approved state-certified sex offender treatment program. You shall follow all lifestyle restrictions and treatment requirements of the program. You shall participate in special testing in the form of polygraphs, in order to measure compliance with the treatment program requirements. You shall allow reciprocal release of information between the supervising probation officer and the treatment provider. You shall pay for treatment and testing according to your ability.</p>
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**Supporting Evidence:** Mr. Wahchumwah failed to attend his scheduled polygraph appointment on December 20, 2010.

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According to Mr. Wahchumwah's sex offender therapist, Mr. Wahchumwah was a no call/no show for his scheduled polygraph appointment on December 20, 2010.

- 2        **Special Condition #16:** You shall actively participate and successfully complete an approved state-certified sex offender treatment program. You shall follow all lifestyle restrictions and treatment requirements of the program. You shall participate in special testing in the form of polygraphs, in order to measure compliance with the treatment program requirements. You shall allow reciprocal release of information between the supervising probation officer and the treatment provider. You shall pay for treatment and testing according to your ability.

**Supporting Evidence:** Mr. Wahchumwah failed to participate in sex offender counseling at Alliance Counseling on December 27, 2010, and January 3, 2011.

According to Mr. Wahchumwah's sex offender therapist, the defendant was a no call/no show for sex offender counseling on December 27, 2010, or January 3, 2011.

- 3        **Standard Condition #3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

**Supporting Evidence:** Mr. Wahchumwah has failed to register as a sex offender at the Yakama Indian Nation Prosecuting Attorney's Office as directed by his probation officer as of January 3, 2011.

On December 1, 2010, this officer directed Mr. Wahchumwah to register as a sex offender at the Yakama Indian Nation Prosecuting Attorney's Office. The defendant stated he would get this taken care of the next time he traveled to Toppenish, Washington. On December 10, 2010, this officer reminded Mr. Wahchumwah he needed to register as directed. On January 3, 2011, this officer received an e-mail from an officer with the Yakama Tribal Police Department indicating Mr. Wahchumwah has yet to register as a sex offender.

- 4        **Mandatory Condition #6:** If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the schedule of payments set forth in the criminal monetary penalties sheet of this judgment.

**Supporting Evidence:** Mr. Wahchumwah has failed to make a payment towards his special assessment as of January 4, 2011.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/05/2011

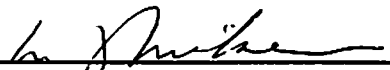
s/Jose Zepeda

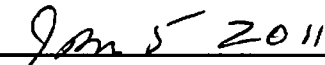
Jose Zepeda  
U.S. Probation Officer

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### THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other

  
Signature of Judicial Officer

  
Date